

**Village of Lansing  
Planning Board Meeting  
February 9, 2004**

The meeting of the Village of Lansing Planning Board was called to order at 7:30 P.M. by Ned Hickey. Present at the meeting were Planning Board Members Doris Brown, Phil Dankert, Carol Klepack and Maria Stycos; Trustee Liaison Lynn Leopold; Attorney David Dubow; Code Enforcement Officer Ben Curtis; Engineer Brent Cross and members of the public.

- **Public Comment:**

Hickey opened the Public Comment period.

As there was no one else present who wished to speak, Dankert moved to close the Public Comment period. Seconded by Stycos. All aye.

- **Publication Information Meeting – Sketch Plan Review – Spitsberg Subdivision:**

The first item on the agenda was a Public Information Meeting to consider the Sketch Plan Review of the Spitsberg Subdivision, a major subdivision dividing a 7.11 acre lot into seven building lots. The lot to be subdivided fronts on Bush Lane and is located in the Medium Density Residential District, Tax parcel No. 45.1-1-45.1. Hickey stated this public information meeting is to allow for public concerns to be brought to the attention of the Board at the beginning of the process. Gary Wood, Engineer for the Spitsberg Subdivision would give a brief presentation, followed by questions or concerns from the public, followed up by comments of the Board.

Wood stated the subdivision will result in 7 lots of about a third of an acre each, and will include a cul-de-sac approximately 500 feet in length. An existing stream will be relocated around the periphery of the development. There will also be a detention area as required by the new storm water regulations. There will also be a 20 ft. walking strip along the east edge of the property. Public utilities are also proposed. Wood stated this would be a simple subdivision.

Robert Miller, Trustee for Millcroft Trust, the owner of property adjoining the Spitsberg Subdivision, had 2 concerns. The first is about the relocation of the stream which requires the removal of mature trees. Miller expressed concern that part of the stream to be relocated is on the Millcroft property. Millcroft Engineers would like to analyze the detention area as well as the stream relocation. Miller feels the stream is misrepresented in the diagrams presented as it actually crosses onto the Millcroft property. Miller is also concerned about the size of the lots with respect to minimum size lots in this zoning district.

Ron Furry, 143 Brook Way, has lived on Brook Way since 1966. His concerns are about drainage. Furry referenced the drainage way which runs along the edge of his property. Since 1966, Furry has seen the velocity of this stream increase as Mrs. Gibbs can attest. The old peak flow time used to be over an hour and is now less than an hour. Furry and his wife clean the area out. Furry has seen the creek depth go from 4 feet to almost 0 in a very short time due to the levee effect with stream deposits. Furry stated residents of the area no longer cut grass down there as it is too wet. In the drainage area, boots are required even in summer. Due to the velocity of water, the bottom of the stream bed is being ripped out. In summary, Furry is concerned about this wet drainage area and he would also like to know how the relocated stream will be stepped to reduce velocity so that new debris does not go downstream and there is not increased damage due to velocity and runoff.

Anne Furry, 143 Brook Way, spoke next. Over the years, Furry has seen increased runoff problems. The Furrys once had a bridge installed but it was washed away. Furry stated the Village does not take responsibility for stream maintenance and feels the Village needs to take preventative measures as the streams are building up and becoming full of debris. Hickey stated that individual homeowners are responsible for the streams on their property. Furry stated the Village also does not take care of the streams on Village property such as in the park area along Brook Drive near the corner of N. Triphammer Road.

Jan Gibbs, 147 Brook Way, spoke next. Gibbs stated she and her husband put a tile field in the back of their lot because of wetness. It has since filled in so they have now put in a trench in the past year so the water will flow around their house as the area is very, very wet and does not dry up.

Robert Miller further stated he is also concerned about the line of sight where the subdivision's new cul-de-sac will intersect with Bush Lane. There is a hill at that location and when traveling east, a clear sight distance is critical for such an intersection. Hickey stated the Village's engineer has also expressed this concern.

Hickey stated the Board needs to classify this as a major subdivision since it is over 2 lots. Brown moved to classify the Spitsberg Subdivision as a Major Subdivision. Seconded by Klepack. All aye.

Hickey stated that so far he has heard concerns regarding erosion control, drainage control, landscaping (where trees are removed and soil needs to be tied back in), and traffic safety.

Cross had previously given the following comments to the Board for their review:

1. The stream course that flows under Bush Lane, from out of the Horizons Development, traverses this site. To allow for maximum development of lots, the developer has proposed to relocate the stream course around the outermost eastern and southern boundaries. I have not had a chance to research the status of that stream, but I would be concerned if it is determined to be a NYSDEC classified stream. There may be some significant restrictions under certain classifications.
2. The pass-through flow and proposed outlets of the stormwater basins from the Millcroft S/D is uphill to this property. I did not see any provision to accommodate this added drainage across this site. It should not be a problem, but needs to be accounted for in the final design of the relocated stream corridor.
3. The stormwater run-off from this project is proposed to be collected into a basin located on the south side of this property, which is the lowest side. The developer is concerned about setback dimensions and has proposed that the basin be located in an easement instead of a parcel of land deeded to the Village with access from other Village land. As consistent with my reports on the Millcroft project, I recommend that the developer create a separate parcel of land for the stormwater facilities and provide fee title to the Village.
4. Dennis Reinhart is concerned about the site distance issue at the intersection of the new road on Bush Lane. He has observed a "knob" in Bush Lane in the vicinity of the proposed road that could affect the site distance for motorists coming out of the new subdivision. If it turns out that the new stream in on the "knob", this would actually improve site distance.
5. The surface of the land slopes generally from north to south, which means that the end of the cul-de-sac will be several feet lower than Bush Lane. Unfortunately, the sewer is located in Bush Lane and the proposed gravity sewer will need to be fairly shallow at the south end to get enough grade back into Bush Lane. Therefore, some/most of the houses will need ejection pumps to get their sewage into the Village system in the new road ROW. Although this is not particularly desirable, I suggest that it is better than having the developer lower the sewer main and then have to install a large sewer pump station that would become the Village's to maintain.
6. Although it is not within my normal review jurisdiction, I noticed that the developer had not made any provisions for the 6% recreation allowance.

These comments had also been given to Wood. Wood has also received comments from Superintendent of Public Works, Dennis Reinhart.

Hickey stated it is unclear if it is a DEC listed stream, but this will be researched by Wood. This will determine whether the stream can or cannot be moved and what type of permit may be required. Wood stated the stream classification determines what will be required for a stream to be moved. The stream designs and calculations have not been done yet. The concerns about velocities and drainage are good to hear and will be addressed. The proposal may help the situation. Erosion controls can only be done for the portion of the stream on this property. The proposal calls for a retention area with a berm. Sediment must also be retained permanently on the site and all these issues need to be addressed. Hickey stated that the Village's interest in the detention area can not be secured with an easement but must be permanently deeded to and owned by the Village so it can be maintained. Cross stated the developer is responsible for seeing that the flows coming into the site from other developments transverse the property, as well as seeing that the runoff generated by development on the site is properly managed through the detention area and does not adversely affect other properties. In the final analysis the design must comply with EPA phase 2 storm water regulations.

Anne Furry expressed her concern about the road and its intersection with Bush Lane. She is uncertain of the location of the intersection and would like more information about this since Bush lane is a country road. Hickey stated others have expressed this concern and it will be addressed.

Dubow noted that some of this Subdivision is within the Airport Combining District and a notation like that required for the Millcroft Subdivision must be placed on the final plat. This should be consistent for the Jonson, Millcroft and Spitsberg Subdivisions.

**Bill Cooke – Small Mall Planned Sign Area Amendment:**

The next item on the agenda was a proposed amendment to the Small Mall Planned Sign Area for the Bill Cooke car dealership. Cooke had provided documentation to the Board indicating the dimensions of the proposed signs which included a light bar. Cooke stated there has been a history of sign changes for the property as the business has changed. They would now like to remain as is for the Chevrolet and Cadillac business. Cooke stated that General Motors is pressuring him to have a light bar to go around the entire edge of the soffit. The request is for 3 identification signs totaling 97.5 sf as well as a 133.4 sf light bar. This would result in a total of 231 sf of signage if the light bar were included in the total. The PSA allows for 178 sf of signage. Hickey stated the Sign Law appears to define light bars as lighting devices and not as a sign. Cooke agreed that the light bar could be considered a lighting device rather than a sign. Cooke stated it will also give them some visibility from Route 13, and although the blue light bar identifies nothing explicitly, General Motors throughout the world have a blue light bar consistent with the one proposed. Leopold noted the light bar is much the same as the light bars on the roof of McDonalds which also act as a corporate identification device. Klepack wondered if this could be considered lighting subject to approval by the Lighting Commission. Hickey stated that such lighting is usually for illumination or security. Hickey wondered if this would be like the bars on the video store proposed for the Tops Plaza. Hickey is concerned about setting a precedent. Curtis felt the proposed light bar is a sign because it identified the General Motors Corporation and could not therefore be, for instance, another color or in another configuration. Curtis stated there are provisions in the Sign Law to regulate the sizes of signs, but if the light bar were not considered a sign there would be no limitations to the size of the light bar as lighting devices are not regulated for size. Dubow stated a PSA gives discretion on a site specific basis and the Board could be less worried about setting a precedent if it determined that the light bar meets the criteria of the law for this particular location. The law reads that a PSA provides the opportunity to enhance the visual appearance which might otherwise be limited by strict adherence to the sign regulations. Dubow further stated that if it is determined that the light bar is a sign, then it must meet the current requirements of the PSA or the Board must propose an amendment to the Board of Trustees. In the case of an amendment, the Board must determine if it is a major or minor change to determine whether a public hearing is required.

Hickey stated the Board must first decide if it is a sign or a light bar. Klepack moved that the light bar be considered a sign. Seconded by Stycos. All aye.

Next, the Board discussed the allowable sign area. Curtis stated that 243 sf are approved which includes 65 sf for the freestanding Toyota sign which leaves 178 sf. for signage on the building with a maximum of four signs. Cooke noted that the Toyota sign has been replaced with the original General Motors which is larger than the Toyota sign. Curtis checked the file and reported that the GM sign was 135 sf which would have to be subtracted from the 243 total sf allowing for only 108 sf of signage available on the building. Carl Shulman from Cooke's said he had measured the GM sign and thought it was only 82sf. Hickey stated this might be tabled until Cooke and Curtis can review the numbers to see what sf remains as signs have been removed and added over the years. Hickey stated that the applicant could be asking for twice what is allowable. Hickey's numbers indicate there are 66 sf available for the light bar and the applicant is asking for 133 sf. which is twice the allowable amount. Cooke stated that a possibility might be to have the light bar go part way around the building. Dubow stated Curtis would review the signage and if the proposal is found to be within the limits of the previously approved PSA, Curtis can make a decision as to the placement of the 66 sf. Curtis stated this equates to about 97 lineal sf and the light bar could be placed on Cinema Drive or shifted around the corner as the applicant thought best. If the applicant wants additional sign area over and above the 243sf, it would require the Planning Board to make a recommendation to the Board of Trustees for an amendment to the Planned Sign Area. Hickey stated Cooke will work this out with Curtis and if additional signage is requested, the applicant can return to the Board at another meeting.

**Lansing Trails 2 – Continued Discussion:**

Hickey provided those in attendance with copies of the proposed roads and layout of Lansing Trails 2. Hickey stated Johnson is present to discuss his concept of where the roads will go. The drawing depicted the 34 single family lots as well as the 69 zero lot line townhouses. Johnson stated that those currently residing in Lansing Trails were aware of the phasing of the development from the beginning. Johnson is proposing one-way traffic circulation in part of the subdivision, as well as two-way traffic. Residents of Lansing Trails expressed concerns about the traffic in their neighborhood. A resident expressed his concern about exiting Bomax Drive going to the Post Office on Warren Road and having to cross several lanes of traffic. John Wisor, 9 Leifs Way, expressed concern about fire safety and access for emergency vehicles. Dankert responded that the plan has been reviewed. Wisor asked about placing a fire safety access road at the end of Janivar Drive in lieu of a through connection for all traffic. Wisor then distributed maps with alternate plans. Wisor supports the one way traffic circle for traffic calming but feels it makes access more difficult for emergency vehicles. John Sherbon, 2 Leifs Way, wants to avoid N. Triphammer Road when traveling to the Post Office. The proposed route would make it possible for Lansing Trails residents to get there and the circuitous route would deter outside traffic from traveling through the neighborhood. Hickey stated Lansing Trails has always been considered one community. Hickey stated the Board must also act for future residents of the area. Hickey also stated the corner of Warren Road and Route 13 intersection is already difficult during certain times of the day. The B&T Park also has many employees and will continue to add to that intersection. Klepack stated the concerns of the residents in the neighborhood should be recognized but the entire Village should also be considered.

Hickey stated the Board is reviewing the proposal for road layout. The Board is not reviewing lot configurations but it was noted that there are flag lots proposed for the head of Ayla Way which are not acceptable if there is not sufficient frontage. Brown questioned the proposed four lots which have one way frontage on both sides. A possibility may be to change the lots so they are back to back.

Hickey ended the public information period so the Board could begin their work. Cross expressed concern about the tight 90 degree turns noting that they did not meet radius requirements in the Subdivision Regulations. Hickey stated this might be an acceptable design for traffic calming. Johnson stated that this is just a sketch and the actual turns have not been engineered yet. The Board would like to continue to discuss traffic calming measures but first the road layout needs to be approved. Klepack asked to see Lansing Trails I presented on the maps along with Lansing Trails II in the future.

Hickey asked Board members if they favored the one way road system. Stycos felt this proposal was better than the last. Klepack would like to hear more about the one way system but she would be supportive. Dankert was in agreement. Hickey was unsure if the one way loop would slow traffic more than a two way one. Hickey also questioned what would happen if residents in the future asked to have the roads made a two way. Hickey liked the street layout but wanted to see room left for two way if needed sometime in the future. Robert Miller stated it would be difficult to say how he felt as his proposal as currently approved does not include phases 3 and 4. Brown was in agreement with the layout although she was unsure of the one way road. Cross felt square corners should be avoided and when these turns were properly engineered maybe some lots would need to be removed.

**Review of Subdivision and Special Permit Procedures:**

Hickey placed this on the agenda to see if the Board was supportive of including a public information meeting at the sketch plan level of the subdivision approval process. Board members were supportive of the public information meeting being added to the procedures.

**Planning Board Goals Update:**

Hickey provided the Board with a draft set of goals: 1) Complete the review of the Village's Comprehensive Plan – consolidate and review updated sections of the plan, conduct public hearing on updated plan, recommend changes to Board of Trustees. 2) Develop a process for assessing impacts on Visual Environment – identify aesthetic resources of visual environment, prepare inventory of aesthetic resources that need protection, prepare a geographic map of aesthetic resources needing protection, and incorporate aesthetic resources in Village's Open Space Plan. The map will become part of the Open Space Plan. Hickey has spoken with consultant Kathryn Wolfe and a draft copy may be ready by the end of February. 3) Recommend Village Open Space Plan to Board of Trustees – review draft Open

Space Plan, conduct public information meeting on proposed plan, recommend adoption of Open Space Plan for incorporation in Village's Comprehensive Plan. 4) Review Village Special Permit and Subdivision regulations and procedures – review limited to Planning Board application approval procedures - develop recommendation that will clarify and update existing procedures, submit recommendations to Attorney and Board of Trustees.

Curtis asked about architectural standards being reviewed by the Board which was an earlier goal. Hickey stated Stycos would like to see it remain but Hickey is unsure if it should remain as such standards are often subjective and would be hard to develop. Curtis suggested that there might be some minimal standards about which there would be a general consensus such as requiring parapets to hide rooftop mechanicals, considering the appearance of all four sides of a building during the review process, etc.. Individual Board members will attempt to develop architectural standards for commercial areas for consideration by the full Board at a future meeting. Hickey has additional information he will provide to Board members. Klepack felt the Commercial Low Traffic Guidelines address some architectural issues. Board members will review these. As another item left from earlier goals Curtis noted the Board had planned to explore alternate strategies for preserving open space. Hickey has provided additional information to Stycos about alternate strategies. Brown has been reviewing mandatory clustering on the internet and learned NYS allows for mandatory clustering and that taxes (so much per thousand of valuation of property) can be imposed to raise money for purchasing of open space. Leopold stated the Village has a line item in the budget to generate money for purchasing of open space. Stycos asked about the temple being proposed on N. Triphammer Road and the possibility of gaining open space as part of that approval process, noting that the property is in a view shed identified in Wolfe's study. Hickey stated the Board can do nothing until an application is received and they are aware they must go before the Planning Board. Hickey would like to see the Open Space Plan (even if only in draft form) in place before the temple comes before the Board.

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**Comprehensive Plan Update Procedures:**

Hickey stated that he has turned in Chapter 1 updates to Clerk Jodi Dake. When others have their chapters completed, they may also turn them in to her. Materials should be completed by May 1<sup>st</sup>.

**Approval of Minutes** – January 12th:

Dankert moved to accept the minutes of January 12<sup>th</sup> as revised. Seconded by Klepack. All aye.

**New Business:**

Hickey needs to turn in budget requests for 2004-2005. Hickey will include monies to allow Board members to attend the fall planning association conference in Lake Placid. Other suggestions included a pot to heat tea water, traffic calming field trip, open space studies and consultants,

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**Lansing Trails continued:**

Hickey stated he has spoken with Larry Fraboni and told him a traffic study would need to be completed after there is general agreement on a road plan for the Subdivision. Hickey would rather move the park and have a direct connection made from Bomax Drive to Craft Road. Hickey is unsure if Miller will develop phase 3 and 4 and make the connection to Lansing Trails 2. Until that connection is made there will be a very long cul-de-sac accessing the townhouses. Cross is concerned about forcing Jonson to connect to Bomax Drive and stated the plan would be dramatically changed if there were no connection to the Millcroft Subdivision. Dubow stated the Board has no power to require Millcroft to build his road at this time and if he never develops phases 3 and 4, there will be a long cul-de-sac as currently proposed in Lansing Trails 2 with no exit or alternative routing. Cross felt having the Jonson road connect directly to Craft Road through the park would alleviate the traffic problem. Miller could tie into the through road at a later time when he develops. Curtis noted it would take an act of legislature to use for another purpose land already accepted as recreation land. Dubow stated this would be difficult. The road may be able to go through the open space instead. Dubow stated an internal connection might be a possibility. Curtis stated such an alternate route would be difficult because it would cross lots already developed. Hickey stated one condition of approval might be to limit or reconfigure the townhouses to allow for an emergency access road. Dubow stated Jonson should be apprised of these concerns and an additional plan addressing them be requested from Jonson.

**Adjournment:**

Klepack moved to adjourn at 9:55 P.M. Seconded by Stycos. All aye.